

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - JURY TRIAL DAY 5

Phoenix Division

MDL 15-2641-PHX-DGC
Year Case No Initials

DATE: 5/22/2018

Title: IN RE: Bard IVC Filters Products Liability Litigation
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HON: DAVID G. CAMPBELL

Traci C. Abraham
Deputy Clerk

Patricia Lyons/Laurie Adams
Court Reporter

APPEARANCES:

Mark O'Connor, Shannon Clark, Lincoln Combs, Paul Stoller, Ramon Lopez
Attorney(s) for Plaintiff(s)

Richard North, Elizabeth Helm, James Rogers, Candace Camarate
Attorney(s) for Defendant(s)
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PROCEEDINGS: X Jury Trial

2nd Bellwether Trial- Plaintiff Doris Jones - Present

8:30 Court in session. Court order issued on 5/19/2018 discussed. Parties to review the order and be prepared to discuss. FDA warning letter exhibit 4680 discussed. Court will hear additional testimony and evidence before deciding admission. Dr. Hurst testimony discussed. Court will hold the parties to the reports of expert witnesses. Counsel reminded to seek permission for display of exhibits. Exhibits used with witness Chad Modra discussed. Court will admit monthly reports. Counsel to move for the admission in front of the jury. Video testimony of Dr. Avino and Dr. Altonaga discussed. Plaintiff Doris Jones testimony discussed. Court takes under advisement. 9:08 Jury present. Janet Hudnall video deposition continues. 9:12 Following exhibits moved into evidence: 4407,4403,4404,4405,4406,4536,4537,4459,932,2238,4420(redacted), 79,1006,1023,1369,1383,2059,2061,2062,2063,2065,2068,2069,1370,1580,6077,1133,5303,2052,546(redacted),854(redacted),447,1612,2057(redacted), 926(redacted),1295,4412,2052,614,4486,5296,5302,2253. Exhibits are not admitted until counsel for defendant has a chance to review. 9:15 Dr. Darren Hurst sworn and examined. Exhibits 4570,4459, 8325 admitted. 10:30 Court in recess.

10:43 Court in session. Parties present. Plaintiff Doris Jones testimony discussed. 10:47 Jury present. Dr. Darren Hurst examination continues. Exhibit 932,8067,7958,8068,8069,8070,7953,7951 admitted. 12:01 Court in recess.

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Day 5 Jury Trial- Jones Trial

1:00 Court in session. Parties present. Jury present. Following exhibits admitted without objections:

79,447,546(redacted),614,677,854(redacted),926(redacted),932,1006,1023,1133,1295,1369,1383,158(redacted),1612,2052,2057(redacted),2059,2061,2062,2063,2065,2068,2069,2238,2253,4403,4404,4405,4406,4407,4412,4420(redacted),4459,4486,4536,4537,5296,5302,5303, 1370. 1:04 Dr. Darren Hurst examination continues. 1:49 Dr. Altonaga video deposition testimony clarified. 1:50 Dr. Anthony Avino appears by video deposition. Exhibits 1133, 4401, 4402 admitted. 2:30 Court in recess.

2:45 Court in session. Parties present. Jury present. Dr. Anthony Avino video deposition continues. 2:52 Shanice Matthews sworn and examined. 2:58 Alex Tessmer sworn and examined. 3:57 Doris Jones sworn and examined. 4:18 Jury excused until 9:00 a.m. on 5/23/2018. 4:20 Doris Jones other health conditions discussed. Plaintiff damages discussed. Further discussion to be held 5/23/2018. Final jury instructions to be discussed Friday afternoon. 4:24 Court in recess.

Jury trial continues on 5/23/2018 at 8:30 a.m.